

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (APL) NO. 1317 OF 2021

(Sau. Bhavna Amol Bhagwat and others ..vs.. State of Maharashtra, through PSO, PS MIDC, Akola and another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A.V. Lavhale, Counsel for the applicants,
Mr. M.K. Pathan, Addl.P.P. for non-applicant 1/State,
Mr. R.M. Tahaliyani, Counsel for non-applicant 2.

**CORAM : ROHIT B. DEO &
URMILA JOSHI-PHALKE, JJ.**
DATED : 11-11-2022

This application is preferred for quashing of First Information Report 259/2020 and the Final Report 183/2020 in Regular Criminal Case 658/2020.

2. The applicants are facing trial for offences punishable under Sections 498-A, 506 and 504 of the Indian Penal Code.

3. At the very outset, the learned Counsel for the applicants states, on the basis of instructions, that application is not pressed on behalf of the applicants 2 to 5 and the said applicants shall seek discharge from the trial Court, if the charge is not already framed.

4. In view of the said statement, we dispose of the application as regards applicants 2 to 5 with liberty to apply for discharge, if the charge is not already framed.

5. In so far as applicant 1-Sau. Bhavna Amol Bhagwat is concerned, she is the younger sister-in-law of the complainant, who is Doctor, residing at Amravati.

6. We have perused the material on record and are satisfied that there is no case made out to put her on trial. In all fairness to the learned Counsel for non-applicant 2 Mr. R.M. Tahaliyani, it is not even seriously argued that applicant 1 should be put on trial.

7. We, therefore, quash the charge-sheet dated 25-9-2020 to the extent of applicant 1. The trial shall proceed against applicants 2 to 5 subject to their right to seek discharge from the trial Court, as directed supra.

(URMILA JOSHI-PHALKE, J.)

(ROHIT B. DEO, J.)

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